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UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

In re: FOX DEVELOPMENT CO., INC., Debtor.	Chapter 7 Docket No. 10-17096 (RG) Honorable Rosemary Gambardella
In re: GIANT ASSOCIATES, INC., Debtor.	Chapter 7 Docket No. 10-17091 (RG) Honorable Rosemary Gambardella
DANIEL J. YABLONSKY, as chapter 7 trustee for the bankruptcy estate of Fox Development Co., Inc., and DANIEL J. YABLONSKY, as chapter 7 trustee for the bankruptcy estate of Giant Associates, Inc., Plaintiffs, v. FOX HILLS AT ROCKAWAY CONDOMINIUM ASSOCIATION, INC., Defendant.	Adv. No. 10-01940 (RG) Honorable Rosemary Gambardella **NOTICE OF PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AGAINST DEFENDANT** Hearing Date: October 12, 2010 Hearing Time: 10:00 a.m. **Oral Argument Requested**

To: Michael Kahme, Esq.
Hill Wallack, L.L.P.
202 Carnegie Center, CN 5226
Princeton, New Jersey 08543-5226
Attorneys for Defendant

PLEASE TAKE NOTICE that on October 12, 2010, at 10:00 a.m., or as soon thereafter as counsel may be heard, Plaintiff Daniel J. Yablonsky ("Plaintiff"), by and through his undersigned counsel, shall move before the Honorable Rosemary Gambardella, United States Bankruptcy Judge, in the United States Bankruptcy Court, 50 Walnut Street, Newark, New Jersey 07102, for the entry of an Order granting summary judgment in favor of Plaintiff and against Defendant Fox Hills at Rockaway Condominium Association, Inc. (the "Motion").

PLEASE TAKE FURTHER NOTICE that, in support of the Motion, the Plaintiff shall rely upon the Memorandum of Law submitted concurrently herewith. A proposed form of Order is also included.

PLEASE TAKE FURTHER NOTICE that any objections to the relief requested by the Plaintiff shall (i) be in writing; (ii) specify with particularity the basis of the objections; and (iii) be filed with the Clerk of the United States Bankruptcy Court (a) electronically by attorneys who regularly practice before the Bankruptcy Court in accordance with the General Order Regarding Electronic Means for Filing, Signing, and Verification of Documents, dated March 27, 2002 (the "General Order") and the Commentary Supplementing Administrative Procedures, dated as of March 2004 (the "Supplemental Commentary") (the General Order, Supplemental Commentary and the User's Manual for the Electronic Case Filing System can be found at www.njb.uscourts.gov, the official website for the Bankruptcy Court, and (b) in hard copy by all other parties-in-interest, and shall simultaneously be served on Trenk, DiPasquale, Webster, Della Fera & Sodono, P.C., 347 Mt. Pleasant Avenue, Suite 300, West Orange, New Jersey 07052 (Attention: Thomas M. Walsh, Esq.), in accordance with the General Order and the Supplemental Commentary, to be presented at the hearing.

PLEASE TAKE FURTHER NOTICE that, pursuant to D.N.J. LBR 9013-1(d), any opposition must be filed at least seven (7) days before the return date mentioned herein.

PLEASE TAKE FURTHER NOTICE that the Plaintiff respectfully requests oral argument on the Motion.

TRENK, DIPASQUALE, WEBSTER,
DELLA FERA & SODONO, P.C.
Attorneys for Plaintiff

Dated: September 21, 2010

By: /s/ *Thomas M. Walsh*
THOMAS M. WALSH

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